

CONSERVATORSHIP

1

Get a Permanent Appointment for a Minor

Part 1: Preparing the First Court Papers
(Instruction Packet)

SELF SERVICE CENTER

**FOR APPOINTMENT OF A PERMANENT CONSERVATOR
FOR A MINOR**

**PART 1: Preparing the First Court Papers
(Instructions Only)**

How to assemble these documents

This packet contains instructions about preparing the first court papers on a permanent appointment of a conservator of a minor. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBCM1it	Table of forms in this packet	1
2	PBCM10h	How to ask the court to appoint a Conservator of a minor	3

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Self-Service Center

HOW TO ASK THE COURT TO APPOINT A CONSERVATOR OF A MINOR

USE THIS PACKET if you want to be appointed a conservator for a minor under the age of 18

This packet does not help you with the following processes:

- Guardianship or conservatorship for adults;
- Temporary or emergency appointments of guardians or conservators;
- Guardians for gravely disabled persons;
- Guardianship for a minor.

Follow each step carefully. Each step contains certain forms, and some of these forms have extra instruction sheets to help you. The whole process will take at least a couple of months.

FIRST STEPS:

- STEP 1 MAKE SURE YOU NEED TO BE APPOINTED AS CONSERVATOR ONLY AND NOT AS GUARDIAN, TOO.** If you are not sure, the Self-Service Center has information available describing the different requirements between appointments for guardianships and conservatorships. See the Checklist at the beginning of the forms packet. The Self-Service Center has three separate packets: one for guardians, one for conservators, and one for both guardians and conservators.
- 2 COMPLETE AND COPY THE COURT FORMS IN THIS PACKET:** Fill out all the forms completely and in **black ink**.
- **PROBATE COVER SHEET.** Complete everything but the “Case Number”. The case number will be stamped with a Probate Case number starting with the letters “**PB**” by the Clerk of the Court when you file the papers. You will use this case number on all court papers after you file the papers with the Clerk.
 - **PETITION FOR APPOINTMENT.** Fill out all the information carefully and notify all the people entitled to know about this matter. If you have questions about who is entitled to notice see the Self-Service Center Packet on **Service**, then read the document **INFORMATION ON LEGAL NOTICE FOR GUARDIANSHIPS AND CONSERVATORSHIPS**.
 - **AFFIDAVIT OF PERSON TO BE APPOINTED (ARS § 14-5106).** This document must be completed by the Petitioner (the person who wants to be appointed). You must file this Affidavit with your **PETITION FOR APPOINTMENT AS CONSERVATOR**.
 - **CONSENT OF PARENT TO CONSERVATORSHIP, if applicable.** This document must be completed and signed by both parents of the minor, if they are living and have not been adjudicated incapacitated. If you only can find one parent, have that parent sign the Consent. However, be prepared to explain to the Judge/Commissioner at the court hearing why only one parent or no parents signed the Consent and prove to the Court you did everything you could to try to find the parent(s) by publishing notice. See the Self-Service Center Packet Part 2: **Service and Notice of Court Hearing**, then read the document called **INFORMATION ON LEGAL NOTICE FOR CONSERVATORSHIP FOR A MINOR** for more information on Publication of Notice.
- 3 COPIES:** Make **2 copies** of all the forms. Assemble the copies so that you have **3 complete packets** -- the originals and 2 sets of copies. One set of the copies is for you to keep in your files.

- 4 OTHER PAPERS:** Make one copy of the document INSTRUCTIONS AND REQUEST FOR HEARING DATE. Keep the original and copies together for later use. After filing all the other papers, you will take this form to Probate Court Administration to get the hearing date set at a time you can attend.

Note: Keep this document so you know when and where your hearing is.

TO FILE THE PAPERS AT THE COURT:

- STEP 5 DETERMINE WHERE TO FILE THE COURT FORMS:** There are 3 locations of the Superior Court in Maricopa County: the Downtown location in Phoenix, the Southeast Court Facility for persons who live in Mesa, Tempe, Chandler, Gilbert and Apache Junction to the southern border of the Salt River bed, but not including Scottsdale; and the Northwest Court Facility in Surprise. Depending on where you live, select the site to file the first court papers. Please keep in mind that any court hearings will be conducted at the downtown Phoenix location for those filed in Phoenix OR Mesa.

Phoenix: 125 West Washington, 1st Floor
Phoenix, Arizona 85003

Mesa: 222 East Javelina, 1st Floor
Mesa, Arizona 85210

Surprise: 14264 West Tierra Buena Lane
Surprise, Arizona 85374

- 6 TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED:** Take the **originals and 2 sets of copies** of the following documents to the **Clerk of the Court, Probate Registrar**, on the first floor of the court, for processing:

- PROBATE COVER SHEET
- PETITION FOR APPOINTMENT OF CONSERVATOR
- AFFIDAVIT OF PERSON TO BE APPOINTED (ARS § 14-5106)
- CONSENT OF PARENT (if applicable)

Note: The clerk at Probate Registrar will conform the 2 sets of copies and return them to you. After you file one set of copies with Probate Administration, you should have one set of copies for yourself if you followed the instructions in **Step 3**.

- 7 PAY YOUR FILING FEE:** The filing fee is **\$166.00**. If you think a fee waiver or deferral is appropriate, ask the probate clerk or the staff at the Self-Service Center for an APPLICATION FOR FEE WAIVER OR DEFERRAL before you file your Petition.

TO GET THE COURT HEARING DATE SCHEDULED:

- STEP 8 TO GET A COURT HEARING DATE:** Go to Probate Court Administration (1st floor in Phoenix and Surprise, 2nd floor in Mesa. Take and give them one set of the conformed (date stamped) set of the copies the clerk just gave you:

- PROBATE COVER SHEET
- PETITION FOR APPOINTMENT OF CONSERVATOR
- AFFIDAVIT OF PERSON TO BE APPOINTED (ARS § 14-5106)
- CONSENT OF PARENT (if you filed one)

Bring the **original** the document called: INSTRUCTIONS AND REQUEST FOR HEARING DATE -- this will be returned to you.

- 9 HOW YOU WILL GET THE COURT HEARING DATE:** Probate Court Administration will schedule the hearing: date, time, place, and judicial officer. Staff will give you back a copy of the INSTRUCTIONS AND REQUEST FOR HEARING DATE with the

information highlighted with a colored marking pen for you. Be sure you keep this important document!

- 10 OTHER HELP:** If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under “attorneys”. Also, the Self-Service Center has a list of lawyers who will help you help yourself. The list show where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is.